IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	ITED STATES OF AMERICA	0.00000420	
	Plaintiff,) 8:09CR128)	
	vs.) DETENTION ORDER	
RIC	CARDO AVILA-ORDAZ,		
	Defendant.	,	
A.	. <u>Order For Detention</u> After a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).		
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 		
C.	in violation of 42 U.S.C. § years imprisonment; aggr of 18 U.S.C. § 1028A ca sentence of imprisonmen (b) The offense is a crime of (c) The offense involves a na (d) The offense involves a lar (2) The weight of the evidence agai (a) General Factors: The defendant a may affect wheth The defendant to The defendant is The defendant of ties. Past conduct of to The defendant ha	Report, and includes the following: offense charged: Security card obtained by fraud (Count I) 408 carries a maximum sentence of five avated identity theft (Count II) in violation tries a mandatory consecutive two year to the defendant of controlled substances, to wite the defendant is high. If the defendant including: ppears to have a mental condition which the defendant will appear. It is no substantial financial resources. In the area is no substantial financial resources. In a long time resident of the community. It is not have any significant community. It is a history relating to drug abuse. It is a significant prior criminal record. In as a prior record of failure to appear at st.	

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		Probation
		Parole
		Release pending trial, sentence, appeal or completion of
		sentence.
(c)	c) Other Factors:	
` ,	X	The defendant is an illegal alien and is subject to deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
	X	The Bureau of Immigration and Custom Enforcement
		(BICE) has placed a detainer with the U.S. Marshal.
		Other:

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- That, on order of a court of the United States, or on request of an attorney
 for the government, the person in charge of the corrections facility in which
 the defendant is confined deliver the defendant to a United States Marshal
 for the purpose of an appearance in connection with a court proceeding.

DATED: May 11, 2009. BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge